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BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION  
DOCKETS

2005 JUN 23 A 10:41

Joint Application of

AEROVIAS DE MEXICO, S.A. DE C.V.  
and DELTA AIR LINES, INC.

for an Exemption Under 49 U.S.C. 40109 and a  
Statement of Authorization Under 14 C.F.R. Part  
212 (Puerto Vallarta-Salt Lake City)

Docket OST-2005-

21699-1

JOINT APPLICATION OF AEROVIAS DE MEXICO, S.A. DE C.V.  
AND DELTA AIR LINES, INC., FOR EXEMPTIONS AND  
CODE-SHARE STATEMENT OF AUTHORIZATION

**NOTICE: Any person may support or oppose this application by filing an answer and serving a copy of the answer on counsel for Joint Applicants, and upon persons served with this application no later than July 8, 2005.**

Communications with respect to this document may be served upon:

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DATED: June 23, 2005

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
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Joint Application of

AEROVIAS DE MEXICO, S.A. DE C.V.  
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212. (Puerto Vallarta-Salt Lake City)

Docket OST-2005-  
June 23, 2005

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AND DELTA AIR LINES, INC., FOR EXEMPTIONS AND  
CODE-SHARE STATEMENT OF AUTHORIZATION

Pursuant to 49 U.S.C. 40109(c) and 14 C.F.R. Part 212, Aerovias de Mexico, S.A. de C.V. ("Aeromexico") and Delta Air Lines, Inc. ("Delta") (collectively, the "Joint Applicants") respectfully request that the Department grant the following authorizations to permit the Joint Applicants to expand their Mexico-U.S. code-share/blocked-space services:

a. Exemption authority for one year to Aeromexico to the extent necessary to permit Aeromexico to engage in scheduled foreign air transportation of persons, property and mail between Puerto Vallarta, Mexico and Salt Lake City, Utah via its code share agreement with Delta.

b. Statement of authorization for an indefinite period to permit Delta to display Aeromexico's "AM" designator code on flights operated by Delta between Puerto Vallarta and Salt Lake City.

In support of this application, the Joint Applicants state as follows:

1. Aeromexico is a flag carrier of the United Mexican States and currently holds a foreign air carrier permit which authorizes service between Mexico and numerous U.S. points. Order 91-5-25. Pursuant to its permit and various exemption authorities, Aeromexico provides extensive service between Mexico and the United States.

By this application, Aeromexico seeks an exemption to engage in foreign scheduled air transportation of persons, property and mail between Puerto Vallarta and Salt Lake City by displaying its "AM" designator code on Delta-operated flights. The requested exemption will allow Aeromexico to offer nonstop service in the market and generate significant benefits for the traveling and shipping public; it therefore is in the public interest. Under Annex 1 to the 1960 Air Transport Agreement, as amended, between the United Mexican States and the United States, a carrier designated by the Government of Mexico is entitled to operate "[f]rom a point or points in Mexico to a point or points in the United States." Aeromexico has applied to the Mexican Direccion General de Aeronautica Civil for the requisite authority and designation and will provide the Department a copy of its Mexican designation for the route as soon as possible.

2. Delta recently was granted exemption authority to provide service on the Puerto Vallarta-Salt Lake City route, and it proposes to institute service on or about November 1, 2005. See, Notice of Action Taken dated June 6, 2005 (Docket OST-2005-

b. Statement of authorization for an indefinite period to permit Delta to display Aeromexico's "AM" designator code on flights operated by Delta between Puerto Vallarta and Salt Lake City.

In support of this application, the Joint Applicants state as follows:

1. Aeromexico is a flag carrier of the United Mexican States and currently holds a foreign air carrier permit which authorizes service between Mexico and numerous U.S. points. Order 91-5-25. Pursuant to its permit and various exemption authorities, Aeromexico provides extensive service between Mexico and the United States.

By this application, Aeromexico also seeks an exemption to engage in foreign scheduled air transportation of persons, property and mail between Puerto Vallarta and Salt Lake City by displaying its "AM" designator code on Delta-operated flights. The requested exemption will allow Aeromexico to offer nonstop service in the market and generate significant benefits for the traveling and shipping public; it therefore is in the public interest. Under Annex 1 to the 1960 Air Transport Agreement, as amended, between the United Mexican States and the United States, a carrier designated by the Government of Mexico is entitled to operate "[f]rom a point or points in Mexico to a point or points in the United States." Aeromexico has applied to the Mexican Direccion General de Aeronautica Civil for the requisite authority and designation and will provide the Department a copy of its Mexican designation for the route as soon as possible.

2. Delta recently was granted exemption authority to provide service on the Puerto Vallarta-Salt Lake City route, and it proposes to institute service on or about November 1, 2005. See, Notice of Action Taken dated June 6, 2005 (Docket OST-2005-

Aeromexico and Delta  
Application


21075. Delta operates extensive U.S.-Mexico services and currently displays Aeromexico's designator code on numerous routes between the U.S. and Mexico.

Delta seeks a statement of authorization permitting it to carry Aeromexico's "AM" designator code on Delta-operated flights between Puerto Vallarta and Salt Lake City.<sup>1</sup> Approval of the statement of authorization will enable Aeromexico to offer competitive, nonstop service on the route. This proposed service clearly will provide significant benefits for U.S.-Mexico passengers and shippers.

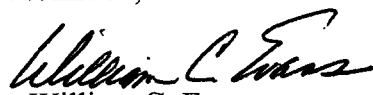
3. Grant of the requested exemption and statement of authorization is consistent with the 1960 U.S.-Mexico Air Transport Agreement, as amended on February 15, 1999, and with the policies of the Department as set forth in Order 99-6-6.

WHEREFORE, Aerovias de Mexico, S.A. de C.V., and Delta Air Lines, Inc. respectfully request that the Department grant the exemption and statement of authorization sought herein.

Respectfully submitted,

  
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Counsel for  
AEROVIAS DE MEXICO, S.A. DE C.V.

DATED: June 23, 2005

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<sup>1</sup> Delta hereby states that this application will have no impact on Delta's CRAF commitments.

CERTIFICATE OF SERVICE

I hereby certify that I have, this third day of June 23, 2005, caused a copy of the foregoing Joint Application of Aerovias de Mexico, S.A. de C.V. and Delta Air Lines, Inc., for Exemptions and Statement of Authorization to be served by either U.S. mail or e-mail upon those persons on the attached list.

A handwritten signature in black ink, appearing to read "William C. Evans", written over a horizontal line.

William C. Evans

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